

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

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THE CITY OF ROCHESTER,

Plaintiff,

v.

SMITH & WESSON BRANDS, INC.; BERETTA
U.S.A. CORP.; BUSHMASTER FIREARMS
INDUSTRIES, INC.; COLT'S MANUFACTURING
COMPANY, LLC; GLOCK, INC.; HI POINT
FIREARMS, A/K/A STRASSEL'S MACHINE,
INC.; JA INDUSTRIES, LLC, F/K/A JENNINGS
FIREARMS, F/K/A BRYCO ARMS, F/K/A
JIMENEZ ARMS; KEL-TEC CNC INDUSTRIES,
INC.; O.F. MOSSBERG & SONS,
INCORPORATED; REMARMS, LLC, A/K/A
REMINGTON FIREARMS; SAVAGE ARMS,
INC.; SIG SAUER, INC.; SPRINGFIELD
ARMORY, INC.; STURM, RUGER & CO., INC.;
SCCY INDUSTRIES, LLC; TAURUS HOLDINGS,
INC., A/K/A TAURUS INTERNATIONAL
MANUFACTURING, INC.; JJE CAPITAL
HOLDINGS, LLC; ARM OR ALLY, LLC;
BROWNELLS, INC., A/K/A BROWNELLS OR
BOB BROWNELL'S; GS PERFORMANCE, LLC,
A/K/A GLOCKSTORE, A/K/A GSPC A/K/A
DOUBLE DIAMOND; INDIE GUNS, LLC; JSD
SUPPLY; KM TACTICAL; POLYMER80, INC.;
PRIMARY ARMS, LLC; RANIER ARMS, LLC;
SALVO TECHNOLOGIES, INC., A/K/A 80P
BUILDER OR 80P FREEDOM CO.; ROCK SLIDE
USA, LLC; BANGERS, L.P. N/K/A IRON
VALLEY™ SUPPLY CO.; GUN CENTER INC.,
A/K/A GC WHOLESALE; RSR GROUP, INC.;
VINTAGE FIREARMS, LLC; and WOLCOTT
GUNS INC.,

Defendants.
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Case No. 6:23-cv-06061-FPG

Hon. Frank P. Geraci, Jr.

**MOTION TO WAIVE LOCAL
COUNSEL REQUIREMENT
JOHN F. WEEKS IV**

I, John G. McCarthy, undersigned counsel for Defendant Taurus Holdings, Inc., hereby move this Court for an Order waiving the requirement of Local Rule 83.2(a)(1), in relation to the Motion for Admission *Pro Hac Vice* for John F. Weeks IV (Dkt. No. 59), that Mr. Weeks appear in conjunction with a local counsel who maintains a physical office within this District, and state as follows:

1. I am a partner with the law firm of Smith, Gambrell & Russell, LLP, (“SGR”) and an attorney in good standing with the New York bar since January 1992.
2. I was admitted to practice in the United States District Court for the Western District of New York on December 23, 2014, and remain in good standing with that Court. I am also admitted to practice in the United States Supreme Court, the United States Courts of Appeals for the Second, Third, Seventh, and Ninth Circuits, and the United States District Courts for the Eastern, Northern, and Southern Districts of New York, District of Connecticut, and Northern District of Indiana.
3. Mr. Weeks is also a partner with SGR.
4. SGR regularly represents clients in federal courts throughout the United States.
5. Although SGR does not maintain a physical office in the Western District of New York, SGR maintains an office in the State of New York, located at 1301 Avenue of the Americas, New York, New York, 10019.
6. As counsel for Taurus Holdings, Inc., I will be readily available to meet and confer with the Court and all counsel of record throughout the course of this litigation. Given that I am a member in good standing admitted to this Court, and Mr. Weeks is my law partner on the team representing Taurus Holdings, Inc., I respectfully request that the Court waive the requirement that he act through local counsel, as

defined by Local Rule 83.2(a)(1), since I would in effect fulfill that role for Mr. Weeks.

7. Mr. Weeks and myself are fully prepared to travel to meet and communicate with the Court, as required by Local Rule 83.2(a)(1), as well as to conduct any and all in-person hearings and other conferences that may arise in the normal course of this litigation, including to cooperate, meet, and confer with opposing counsel.
8. Pursuant to Local Rule 83.2(a)(1), I am submitting this motion for waiver within thirty (30) days of the initial filing on February 27, 2023, of the Motion for Admission *Pro Hac Vice* for John F. Weeks IV (Dkt. No. 59).

Accordingly, the undersigned counsel respectfully moves the Court to grant the request to waive the requirement of Local Rule 83.2(a)(1) as it relates to the requirement that Mr. Weeks appear through local counsel who maintains a physical office within this District.

Dated: March 2, 2023

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

/s/ John G. McCarthy

John G. McCarthy

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Attorney for Defendant

Taurus Holdings, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on March 2, 2023, the foregoing document was served upon all counsel of record through this Court's electronic filing system as identified in the Notice of Electronic Filing.

/s/ John G. McCarthy

John G. McCarthy